United Nations CEDAW/C/SR.1279

Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
23 February 2015

English only

Committee on the Elimination of Discrimination against Women
Sixtieth session

Summary record of the 1279th meeting
Held at the Palais des Nations, Geneva, on Wednesday, 18 February 2015, at 10 a.m.

Chairperson: Ms. Hayashi

Contents

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Fifth periodic report of Azerbaijan

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Editing Section, room E.5108, Palais des Nations, Geneva.

Any corrections to the records of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.15-02956 (E) 200215 230215

1502956

Please recycle

The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Fifth periodic report of Azerbaijan (CEDAW/C/AZE/5, CEDAW/C/AZE/Q/5 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Azerbaijan took places at the Committee table.*

2. **Ms. Huseynova** (Azerbaijan), introducing the fifth periodic report of Azerbaijan (CEDAW/C/AZE/5), said that the report had been drafted in consultation with civil society organizations. She acknowledged the unsatisfactory level of women's participation in conflict prevention and resolution in Azerbaijan. Measures were being taken to bridge that gap: training on the Committee's general recommendation No. 30, on women in conflict prevention, conflict and post-conflict situations, would be organized for key stakeholders, including representatives of NGOs. Her Government recognized the need to develop a national action plan on United Nations Security Council resolution 1325 (2000), and other relevant resolutions on women and peace, and intended to seek technical assistance in that regard. A coalition of women from parliament, State bodies and civil society had been established to support implementation of resolution 1325 and measures had been taken to include women refugees and internally displaced women in the peacebuilding process. Some women from the coalition held positions of authority in parliament and other national institutions.

3. During the reporting period, 11 family support centres had been established, which had, over the past two years, provided assistance to more than 4,500 women and prevented 7 cases of early marriage. The budget for the State Committee for Family, Women and Children's Affairs had increased to more than US$ 1.5 million. In line with the previous recommendations of the Committee on the Elimination of Discrimination against Women, legislation on combating domestic violence had been adopted and eight other legislative enactments had been amended as a result. Rehabilitation programmes had been devised for female victims of domestic violence, which included provisions on legal protection, compensation, and medical and psychological support. Issues related to domestic violence, human trafficking and homelessness were addressed in line with legislation on social services. In 2013, three shelters for victims of domestic violence had been set up and seven non-governmental support centres had been accredited to provide social services for victims. An online database on violence against women had been established, and efforts were under way to improve capacity at the local level for data collection, analysis, dissemination and use. Measures were being taken to engage civil society and the private sector in work with victims of domestic violence. As a result, the number of cases of violence against women had decreased.

4. Amendments had been made to the Family Code and the Criminal Code to bring the minimum marriageable age for women in line with that for men. A new development programme entitled Azerbaijan 2020 had been adopted, which included measures to prevent gender-based violence, create equal opportunities for women on the labour market, promote women at work and improve women's opportunities to occupy leadership positions. Specific training was given to employees of government agencies, public officials and members of the legal profession and judiciary on the Convention, its Optional Protocol and the Committee's general recommendations. Short advanced courses on gender policy were also held for senior officials.

5. Women were represented in all spheres of society. The Government had taken targeted measures to challenge prevailing stereotypes and encourage women's active

participation in political and public life, particularly at the local level and in rural areas. In that regard, solid partnerships were required with NGOs and to that end the President of Azerbaijan had established a State council to support NGOs, which provided financial support for several NGOs involved in the implementation of projects on gender equality, eliminating violence and preventing early marriage. A national forum for child leaders was held every two years, where girls worked together with State officials and members of parliament to share their opinions on issues that affected them and seek solutions to the challenges they faced. Efforts were being made to increase women's participation in politics and their representation in elections, and significant progress had been made at the municipal level.

6. The Government was striving to avoid disparity between the levels of education for women in urban and in rural areas. Government funding for education had tripled over recent years, and female students were encouraged to participate in programmes for study abroad. Steps were also being taken to promote preschool education. Gender studies had been integrated in higher education curricula and there was a newly appointed government representative for gender issues, whose main task was to achieve gender balance in the education system. Libraries for gender-related literature had been established, and training on gender equality was provided for university and school staff. The number of women in positions of authority in the education system and the judiciary was increasing.

7. A national programme for improving women's and children's health had been put in place for the period 2012–2020 and measures to introduce free health insurance for women and children were gathering pace. Efforts were also being made to promote a healthy and active lifestyle. In that regard, young women were encouraged to participate in a range of sports, including football, basketball and martial arts.

8. The enhancement of women's economic and social performance was being promoted, in particular through measures to encourage women's entrepreneurship and their involvement in business. To that end, funding sources for women in business were being increased, a mentoring system had been established and business forums, conferences and events were organized for women entrepreneurs. Particular attention was given to supporting entrepreneurship among internally displaced women and refugees. The promotion of women's economic activity had resulted in a considerable decrease in poverty rates.

Articles 1 to 6

9. **Ms. Haidar** requested further information on the achievement of substantive equality in the State party. She wished to know what steps were foreseen to bridge the gap between de jure and de facto equality. She wondered whether the Government would consider developing a national action plan for equality, one that included measures for monitoring and evaluation, and for overcoming entrenched stereotypes. She asked what measures were taken to ensure that the prohibition of discrimination covered indirect as well as direct discrimination. She wished to know whether there was any jurisprudence in the State party that interpreted legislation on gender equality to include indirect discrimination. The Committee had been informed that amendments to legislation on transparency in the use of funds by NGOs had placed real constraints on NGO activities. She was concerned that women's NGOs, already few in number, would be further marginalized by that legislation.

10. **Ms. Patten** welcomed the State party's intention to request technical assistance for the development of a national action plan on United Nations Security Council resolution 1325. She asked whether the Government was committed to ensuring that women's civil society organizations focusing on peace and conflict resolution would be involved in the development of that action plan. She also asked whether the Government intended to

include women as delegates in its mediation and negotiation efforts. She wished to know whether measures were being taken to ensure equal representation of women in decision-making at all levels, and whether the State Committee for Family, Women and Children's Affairs provided leadership training for women in post-conflict situations. While she did not wish to question the Government's military spending in relation to the ongoing conflict in Nagorno-Karabakh, she asked whether sufficient resources were allocated to meeting the needs of women and girls affected by that conflict. She also asked how gender sensitive the economic recovery strategy was and how it promoted women's empowerment. Turning to the situation of internally displaced persons, most of whom in Azerbaijan were women and children, she asked what programmes and policies were in place to ensure that displaced women could participate meaningfully in decision-making that affected them.

11. **Ms. Leinarte** asked whether the State Committee for Family, Women and Children's Affairs had a mandate to undertake gender impact assessments of draft policies, programmes and projects. Were mechanisms in place for collecting gender-disaggregated data? She requested further information on the mandate, functions and status of the various centres for the protection of women and how they interacted with the State Committee. She wondered whether the State party intended to adopt a national action plan for gender mainstreaming. Lastly, she asked what efforts the State Committee was making to monitor women's participation in politics at the local level, and whether any institutions for the advancement of women at the local level were to be established.

12. **Ms. Huseynova** (Azerbaijan) said that general recommendation No. 28, on the core obligations of States parties under article 2 of the Convention, was covered by training programmes for members of the judiciary. The State council to support NGOs provided funding for some NGO programmes, particularly those with a gender perspective, as long as the NGO concerned could make a case for the potential positive impact of the project. Azerbaijan had a vibrant and active civil society; grants could not be given to all NGOs, so it was important to identify needs and then to support those projects that could meet them.

13. Considerable efforts had been required to adopt the law on State guarantees of gender equality in a context of conflict and displacement. All State programmes were evaluated from a gender balance perspective by the State Committee for Family, Women and Children's Affairs, and were not adopted unless approved by that Committee. A countrywide network of gender focal points had been established, and experience had shown that those focal points were more effective if they had decision-making authority. The State Committee coordinated with the focal points on a continuous basis and monitored their activities.

14. Regarding a national plan of action for the implementation of United Nations Security Council resolution 1325, she said that a number of repatriation programmes were under way, and the women's coalition for the implementation of the resolution had been established in cooperation with UN-Women. Gender issues were taken into account in compulsory and elective curricula in all higher education establishments; gender studies had proved very popular, and not only with female students. The 11 family support centres did not address women's issues exclusively, since they were also open to men in need of support. Azerbaijan 2020 was one of the most important programmes currently under way in Azerbaijan, and included a strong gender component.

15. **Mr.** Faig **Gurbanov** (Azerbaijan) said that when the law on gender equality had been adopted, numerous other items of legislation had been amended accordingly. Legal texts were continually monitored for gender aspects. Legislation on funding for NGOs was being updated and extra funding to the tune of 11 million manats had been made available for NGOs dealing with family and children's issues. The rules on grants and donors for NGOs were being revised. The number of women in the judiciary and law enforcement was increasing. Efforts had also been made to guarantee equal access to justice.

16. **Ms. Haidar**, noting that the law on guarantees of gender equality provided for the implementation of temporary special measures, said that, in its report to the Committee, the State party acknowledged that the law had been underused. No such measures had been put in place, despite the fact that, in its general recommendation No. 28, the Committee stated that they should be adopted where appropriate. She asked how the Government intended to help disadvantaged groups that would benefit from special temporary measures and whether any multilateral bodies had offered support in developing such measures.

17. **Ms. Acar** said that, according to alternative sources, the National Action Plan on Women's Issues had not been published, the gender focal points were barely operational and the relevant staff were undertrained. She asked for further information on the National Action Plan. She also asked whether measures taken to tackle gender stereotypes had been evaluated in order to identify any gaps or challenges; how the Government was addressing the issues of gender inequality in the home and stereotyping in families; whether efforts were being made to eliminate stereotypical behaviour and attitudes through education and the media; and whether any proactive policy measures had been taken. She also requested information on awareness-raising and educational campaigns and on actions carried out in tandem with the media to do away with stereotypical representations of women. She asked whether it was true that educational materials containing gender stereotypes continued to be used and whether the Government had any plans to tackle that issue.

18. She asked whether the figures on violence against women mentioned in the delegation's opening statement, referred to the number of complaints brought or the number of actual court cases. She requested statistical data on the prevalence of violence against women in urban and rural areas and on related complaints, prosecutions and convictions. She also asked whether protective measures were available and how many had been granted since 2010. She asked whether the three women's shelters referred to were exclusively for victims of violence against women. She wondered when Azerbaijan would become a party to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

19. **Ms. Gabr** said that she would have liked to see gender parity in the State party's delegation. Any future delegation should contain a larger number of senior women officials.

20. She welcomed the progress made in combating trafficking in persons and asked whether any studies into its root causes were planned. She also asked whether the State party had worked with vulnerable families to raise their awareness of trafficking.

21. More data was required on street children, a section of the population that was at risk from trafficking. The Government should coordinate its efforts on trafficking in persons with the work of civil society groups. Lastly, she asked whether women police officials were involved in rehabilitating victims of trafficking and whether the authorities monitored online activities relating to trafficking.

22. **Ms. Leinarte** said that the State party's report failed to address the issue of prostitution in Azerbaijan and that, despite the 2009 concluding observations of the Committee, no research into the root causes of the problem seemed to have been carried out. She asked if any support initiatives for women and girls wishing to leave prostitution had been launched and requested information on the number of prostitutes and on the relevant legal framework.

23. **Ms. Huseynova** (Azerbaijan) said that, with regard to temporary special measures, a law had been adopted introducing a form of quotas in appointing women to high-level posts in both the public and private sectors and some progress had been made. A significant amount of work had been carried out at the grass-roots level to encourage women to stand in the recent municipal elections, and during the elections a telephone hotline had been set up for women to report discrimination and obtain legal support. A close relationship had

been established with women's rights NGOs and that approach would be replicated across the country during the 2015 parliamentary elections.

24. Under its new recruitment policy, the Ministry of Internal Affairs employed a large number of women. Quotas had been established for employing women with disabilities.

25. Work was being done within the judicial and police academies and in faculties of law on the implementation of legislation on gender equality and domestic violence. Training had also been provided to judges and judicial officials to ensure that they were familiar with the law on guarantees of gender equality.

26. A gender analysis of all the legislative structures of Azerbaijan with support from the Government of France, had been carried out as part of a European Union twinning project, and a new department responsible for analysing the situation of women generally had been created. Discussions on women's involvement in political life were being held with a number of political parties.

27. A national plan of action to tackle violence against women and safeguard their rights had been in place since 2007.

28. **Mr.** Firudin **Gurbanov** (Azerbaijan) said that gender issues were treated as a priority by the Ministry of Education. Work was under way on a new curriculum, up-to-date gender-sensitive teaching materials and strengthening of the role of education generally. Courses in gender and applied psychology were run at a number of higher education institutions and efforts were being made to eliminate gender stereotypes in education. A board had been set up by the Ministry to review textbooks, taking into account all aspects of gender policy.

29. **Ms. Huseynova** (Azerbaijan) said that the media were also helping with training to eliminate gender stereotypes; target groups included university students and schoolchildren.

30. The Istanbul Convention had been translated into Azeri and, once the necessary discussions had taken place at the national level, Azerbaijan could move towards accession.

31. **Mr. Zalov** (Azerbaijan) said that domestic legislation on trafficking in persons was being strengthened. Guidelines on the social rehabilitation of victims of trafficking in persons and their referral to the competent police unit had been put in place. A 24-hour telephone hotline providing help in English, Russian and Azeri for victims of trafficking had been set up, together with a fund for financial assistance to victims. Any complaints received through the hotline were investigated. Victims were provided with education, rehabilitation and medical care and a number of ministries were working together to combat trafficking in persons and to assist women and girl victims of trafficking. A third national plan of action to combat trafficking in persons had been adopted.

32. **Mr.** Faig **Gurbanov** (Azerbaijan) said that the media were cooperating in raising awareness of issues such as early marriage.

33. **Ms. Huseynova** (Azerbaijan) said that the various ministries worked closely with NGOs to raise public awareness of issues affecting women and girls, and police officials had also received training.

34. Although prostitution was not particularly widespread in Azerbaijan, victims of prostitution were provided with rehabilitation and psychological assistance. A centre had been set up to analyse the root causes of the problem. Legal and other assistance was provided to victims of prostitution in order to protect their rights. Despite the fact that the number of cases of prostitution had fallen over the past few years, a large number of State bodies were working to identify factors leading to prostitution. Prostitution, drug trafficking and trafficking in persons were linked to the recent conflict in the region and the status of the occupied territories, areas which were not under the control of the Government of

Azerbaijan. Azerbaijan had on several occasions asked the international community for help in monitoring illegal activities in the occupied territories.

35. **Ms. Haidar** asked for clarification regarding the regulations governing foreign and United Nations funding for NGOs. She wished to know whether the Regulations for State Control over Ensuring Gender Equality had been approved and how they would affect efforts to achieve gender equality. Lastly, she asked whether the training on gender issues provided to judicial officials had had any impact on recent case law.

36. **Ms. Leinarte** asked how many gender focal points had been established; whether they dealt with gender equality on a formal basis; and whether the officials concerned worked full or part-time. She also asked for information on the mandate and responsibilities of focal point staff and on how the focal points interacted with the various national and regional gender equality bodies.

37. **Ms. Gabr** asked whether there were any plans to carry out a social study into the root causes of trafficking in persons. She also wished to know how the authorities intended to address the issue of street children. She asked for information on women police officials responsible for assisting witnesses and victims of trafficking in persons.

38. **Ms. Acar** said that, when introducing new laws, it was essential to cooperate with bar associations and provide lawyers with training on the legislation in question, so that they could bring the new legislation to the attention of judges during trials. She would like to know what time frame was envisaged for accession to the Istanbul Convention.

39. **Mr.** Faig **Gurbanov** (Azerbaijan) said that legislation governing the NGO sector had recently been amended to clarify the provisions regulating the establishment and funding of domestic NGOs and branches of international NGOs active in Azerbaijan. Women were reasonably well represented within the judicial and prison systems, accounting for between 40 and 50 per cent of total officers on average but a far lower percentage in senior positions. Two of the nine constitutional court judges were women, including the co-chair. Similarly, in the Supreme Court and at the first-instance level around one in five judges were women. There were four women's prisons, which were staffed entirely by women.

40. **Mr. Hasanov** (Azerbaijan) said that representatives of the Ministry of Foreign Affairs and the State Committee for Family, Women and Children had been actively involved in the drafting of the Istanbul Convention and had made contributions which were reflected in the final text. Unfortunately, legislative, procedural and time constraints had prevented the Government from signing the Convention in Istanbul. However, it was firmly committed to doing so as soon as all internal procedures had been completed.

41. **Ms. Huseynova** (Azerbaijan) said that there were currently around 120 gender focal points in Azerbaijan. As the network was well established, changes to its structure, status and functioning were not easy to effect but the Government was looking at ways to endow the focal points with greater executive and decision-making authority. To that end, it had already decided to create a monitoring group for women's rights, similar to the already existing monitoring group for the protection of children's rights. The Government was also working closely with bar associations, particularly the Association of Women Lawyers, to increase awareness and understanding of gender-related issues and legislation and to bring more women into the legal profession.

42. **Ms. Haidar** asked when decision-making powers would be conferred upon the gender focal points and what training they would receive in the meantime to equip them for the exercise of those powers.

43. **Ms. Huseynova** (Azerbaijan) said that the gender focal points had already received extensive training with the support of experts from France provided under the European

Union twinning project mentioned previously. At the regional level the trade unions also assisted with training and capacity-building activities.

44. As to the Government's efforts to combat trafficking in persons, she said that comprehensive information about anti-trafficking and drug control initiatives could be found on the State party's official website. At present Azerbaijan was principally a country of transit for trafficking. A special software program that would enable the authorities to monitor Internet activity potentially linked to such offences was currently under development.

45. **Mr. Safarov** (Azerbaijan) said that the Internet monitoring program would serve as a tool in the fight against drug trafficking and domestic violence as well as the fight against trafficking in persons. It was being developed in line with international standards and should be operational before the end of 2015, although external technical assistance would be needed during the implementation stage in order to guarantee optimal security, inter alia.

46. **Ms. Ameline**, noting that the representation of women in parliament was currently far too low, asked whether the State party would use quotas or other alternative strategies to bring more women into elected office and ensure that they systematically had access to positions of responsibility, particularly in the public sector. Good progress had been made at the local level, but additional legislative measures might be needed to shore up that progress and accelerate the impact of awareness-raising initiatives at the national level.

47. **Ms. Huseynova** (Azerbaijan) said that the Government was examining other countries' experiences in using quotas prior to taking a decision. Historically, in Azerbaijan it was not an unwillingness to nominate women that had excluded them from office, but rather the situation of armed conflict that had prevailed for so long, preventing countless women from leading "normal" lives. Political parties were now more than ready to include women on their electoral lists; the challenge lay in how to ensure that those women were able to compete effectively. Specific initiatives launched in response to that challenge had included the production of a television series on female leadership and activism, the creation of a school for women leaders and the establishment of mentoring schemes. The NGO sector would also have a central role in the drive for parity.

48. **Ms. Halperin-Kaddari** said that she was concerned about measures which reportedly hampered the activities of NGOs, journalists and human rights activists, particularly women journalists and activists such as Khadija Ismayilova and Leyla Yunus. She wished to know what the State party was doing to guarantee the vibrancy and freedom of civil society and to protect journalists and activists, both in general and in the two specific cases mentioned.

49. **Ms. Huseynova** (Azerbaijan) said that the Government worked with the Association of Women Journalists of Azerbaijan to ensure the correct interpretation of provisions and measures and more generally to increase professionalism in the media. Offences allegedly committed by or against journalists or activists were duly investigated and subject to the same jurisdiction as other offences. The courts were fully independent and their decisions were not subject to external influence. The Ombudsman was also actively involved in ensuring that rights were not violated. However, claiming that an arrest was politically motivated should not be a means to escape prosecution. The cases mentioned involved criminal proceedings that were being conducted in the usual manner, in accordance with all usual due process guarantees.

Articles 10 to 14

50. **Ms. Nadaraia**, citing reports that pupils' families were sometimes expected to meet the cost of textbooks, uniforms and even school heating, asked how the State party ensured that lack of resources did not deny the children of underprivileged families a proper

education and what it was doing to tackle the scarcity of resources. Information about any action being taken to reduce the rate of school dropouts due to early marriage and about any plans to introduce sexual and reproductive health education into the secondary school curriculum would be appreciated.

51. **Mr. Bruun** said that he was concerned about the horizontal and vertical segregation evident in all sectors of the labour market, which was reportedly due, at least in part, to women's readiness to accept informal, part-time or low-paid work to avoid conflict with family responsibilities. He wished to know which of the various possible remedies — temporary special measures to accelerate de facto equality, gender mainstreaming in economic and social policy, the promotion of work-life balance through more widely available, affordable childcare and the introduction of compulsory paternity leave, inter alia — had been, or were being, considered.

52. He was also concerned about the fact that the principle of equal pay for work of equal value was not addressed in the 1999 Labour Code and was not fully reflected in the law on gender equality, which simply established the right to equal wages for men and women performing the same work in the same enterprise. He would like to know when those legislative lacunae would be resolved and what action was being taken to give practical effect to the principle in the meantime. He would also like to know what the State party was doing to narrow the gender pay gap, which was alarmingly high in certain sectors.

53. The fact that very few cases of gender-based discrimination had been reported by the Labour Inspectorate led him to ask what mechanisms were in place to ensure compliance with labour-related legislation and whether labour inspectors were expressly trained to recognize such discrimination and respond appropriately. Lastly, he would like to know: whether any cases of sexual harassment in the workplace had been identified and, if so, what action had been taken; what measures had been adopted to guarantee the right to work of young women with disabilities and other particularly vulnerable women; what measures were in place to protect the employment, pension and benefit rights of women who took career breaks or worked fewer hours while raising families; and whether the Government envisaged revising the national retirement age to eliminate the disparity between men and women.

54. **The Chairperson**, speaking as an expert, asked when the reproductive health bill would be adopted and what arguments were being used to delay its passage in spite of several readings in parliament and the very favourable opinion of the United Nations Special Rapporteur on violence against women. She would also like to know what was being done to ensure that the National Reproductive Health Strategy was effectively implemented; that young people were appropriately educated in family planning, reproductive health and modern methods of contraception; and that abortion ceased to be used as a primary means of fertility control. Lastly, she would appreciate information about Government efforts to remove the social stigma afflicting women living with HIV/AIDS; to further lower the infant mortality rate by improving perinatal care and reducing the number of home deliveries, inter alia; to address the specific health-care needs of internally displaced women and girls; and to ensure that adequate medical facilities and mental health services were available in settlements for internally displaced persons.

The meeting rose at 1 p.m.